

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box: Filing Date
Assistant Commissioner for Patents
2900 Crystal Drive
Arlington, VA 22202-3513

Re: Our file: 7604/40/1 Office:
Applicant: Donskoy, et al. Examiner:
Serial No.:
Filing Date:
Title: Large Aperture Vibration and Acoustic Sensor
Sir:

Enclosed for filing in the United States Patent and Trademark Office is the following:

1. Declaration of Michael R. Friscia
2. Sealed Express Mail Package (Mailing Label No. EL548969177US)
3. Copy of United States Postal Service Notice of November 16, 2001
4. Transmittal Sheet
5. Postcard Receipt

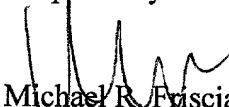
CONDITIONAL PETITION

If any extension of time is required for the submission of the above-identified items, Applicant requests that this be considered a petition therefor. Please charge any additional charges or any other charges relating to this matter to deposit account of the writer, **Account No. 06-2143**. A duplicate copy of this letter is enclosed.

11/19/01
Date

enc.

Respectfully submitted,


Michael R. Friscia
Registration No. 33,884
Wolff & Samson
5 Becker Farm Road
Roseland, NJ 07068-1776
Tel: (973) 533-6599
Fax: (973) 436-4499

I hereby certify that this correspondence is being deposited with the United States Postal Service, postage prepaid, as "Express Mail Post Office to Addressee," Mailing Label No. EL549064305US to Box: Filing Date, Assistant Commissioner for Patents, 2900 Crystal Drive, Arlington, VA 22202-3513 on 11/19/01.

By: 

Michael R. Friscia

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Michael R. Friscia

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donskoy, et al.

Serial No.:

Filing Date: 11/16/01

Title: Large Aperture Vibration And Acoustic Sensor

DECLARATION OF MICHAEL R. FRISCIA

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

I, Michael R. Friscia, attorney for Applicant in the above-referenced matter, hereby
declare:

1. I am a registered patent attorney, Registration No. 33,884, and I am in good
standing. I represent the Applicant in connection with the above-identified application.

2. On November 16, 2001, the above-identified application was filed by being
deposited with the United States Post Office, Livingston, New Jersey, for "Express Mail Post
Office to Addressee" and sent with Mailing Label Number EL548969177US to Box Patent
Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Receipt date granted
11/16/01.
J. Chang
from OPLA

3. On November 19, 2001, the express mail package was returned to me with a notice that express mail service to Washington D.C. ZIP Codes 202 through 205 is temporarily suspended. A copy of this notice is attached to the returned express mail package.

4. After discussing this situation with the Commissioner's office, I was informed that same should be treated as a refusal to accept and that the prescribed course of action is to resubmit the package by express mail along with a declaration to Box Filing Date, Assistant Commissioner for Patents, 2900 Crystal Drive, Arlington, VA 22202-3513.

5. On the same date that I received the returned express mail package, I am promptly re-filing same.

6. The patent application was received into possession of the United States Post Office on November 16, 2001 and would have received the filing date of November 16, 2001 if delivery was not refused/interrupted. The date of November 16, 2001 was entered by a United States Postal Service employee as can be seen by reviewing the Express Mail Label EL548969177US.

7. The contents of the express mail package are the same as what was originally deposited with the United States Postal Service, and the express mail package has remained in a sealed condition since being originally deposited on November 16, 2001.

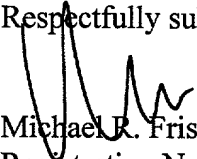
8. It is respectfully requested that the above-identified application be accorded a filing date of November 16, 2001. In the event that a petition is needed, please consider this a petition therefore and charge any associated fees to Deposit Account No. 06-2143.

9. I certify that this declaration and the express mail package is being deposited with the United States Postal Service, postage prepaid, as "Express Mail Post Office to Addressee," Mailing Label No. EL549064305US to Box Filing Date, Assistant Commissioner for Patents, 2900 Crystal Drive, Arlington, VA 22202-3513.

Date

11/19/01

Respectfully submitted,


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